

**REMARKS**

Claims 1-28 are pending. Applicants would like to thank the Examiner for allowing claims 12-18 and indicating that claims 7, 11, 25, and 28 would be allowable if rewritten in independent form including all the limitations of the base claim and any intervening claims.

The Examiner has rejected claims 1-6, 8, 10, 19-24, and 27 under 35 U.S.C. § 102(b) as being anticipated by Sonnier and rejected claims 9 and 26 under 35 U.S.C. § 103(a) as being unpatentable over Sonnier in view of Latif. Applicants respectfully disagree.

Sonnier describes a technique in which IDLE symbols and other command symbols are transmitted when there are no data symbols that make up a message packet to be transmitted. Because Sonnier's transmitters are always transmitting symbols, its redundant transmitters can detect a transmission failure even when data symbols of a message packet are not being transmitted. As the Examiner points out, the "encoder transmits IDLE symbols when there are no message packet transmissions." (Office Action, June 21, 2004, p. 4.)

Sonnier, does not, however, teach or suggest that "when control information is to be transmitted, stopping the transmitting of the symbols of the packet; [and] transmitting an out-of-band symbol representing the control information" as recited, for example, by claim 1. Sonnier's IDLE and other command symbols are sent as inter-message packet transmissions, not as intra-message packet transmissions. Thus, Sonnier does not stop the transmission of data symbols of a message packet, but rather completes the transmission of a message packet before sending an IDLE or other command symbol.

The Examiner has objected to the drawings because of a minor error that was introduced when the originally filed drawings were formalized. Applicants are submitting replacement drawings for Figure 5 and Figure 9A that correspond to these drawings as originally filed. Thus the drawings are not being amended.

Based upon the above remarks, applicants respectfully request reconsideration of this application and its early allowance. If the Examiner has any questions or believes a telephone conference would expedite prosecution of this application, the Examiner is encouraged to call the undersigned at (206) 359-8548.

Applicants believe no fee is due with this response. However, if a fee is due, please charge Deposit Account No. 50-0665, under Order No. 594728817US from which the undersigned is authorized to draw.

Dated:

9/21/04

Respectfully submitted,

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Attachments